

Appl. No.: 09/709,772  
Amtd. dated: 6/4/2004  
Reply to Office Action of December 5, 2003

### **REMARKS**

Upon entry of the instant amendment claims 1-7 are pending. Claim 1 has been amended to more particularly point out the applicants' invention. Claims 2-6 have been added to claim various features of the invention.

### **CLAIM REJECTIONS – 35 U.S.C. § 103**

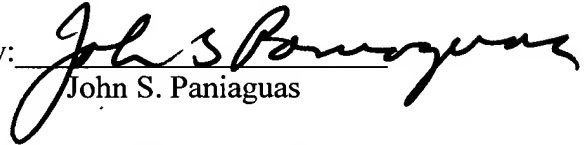
Claim 1 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over published PCT application WO 00/59120 in view of *Qureshey, et al.*, published U.S. patent application US 2002/0072326 A1. It is respectfully submitted that the claim 1, as amended, as well as the new claims 2-6 define patentable subject matter over both the published PCT application and the *Qureshey, et al.* reference. In particular, it is respectfully submitted that both the published PCT application and the *Qureshey, et al.* published U.S. patent publication teach away from the present invention. More particularly, the system recited in the present invention relates to a system for enabling digital data files received on a host PC to be played back on conventional playback equipment, such as an FM radio and a conventional stereo. The system disclosed in the *Qureshey, et al.* published U.S. patent application, as well as the published PCT application teach special purpose playback devices. Although the specifications of the references are not detailed enough to determine, it is suspected that the special purpose playback devices do not have the sound quality of the

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conventional playback equipment on the market. Moreover, the systems taught by the published PCT application and the *Qureshey, et al.* published U.S. application, require end users to purchase additional equipment and abandon any conventional stereos and FM radios that they presently own. The present system, on the other hand, makes use of stereos and FM radios that are currently owned by the end user, while at the same time enabling the end user to play back digital audio files from the Internet over relatively high quality audio play-back equipment. For all of the above reasons, the Examiner is respectfully requested to reconsider and withdraw the rejection.

Respectfully submitted,

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